

Notice: This document is an unofficial translation of the Swedish Authority for Privacy Protection's (IMY) decision 2022-10-17, no. DI-2022-4999. Only the Swedish version of the decision is deemed authentic.

Registration number:
DI-2022-4999 IMI. Case no.
164557, LDA 1085.1-3396/20-F

Date of final decision:
2022-10-17

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Final decision under the General Data Protection Regulation – Klarna Bank AB

Decision of the Swedish Authority for Privacy Protection (IMY)

The Swedish Authority for Privacy Protection (IMY) finds that the investigation has not shown that Klarna Bank AB has processed the complainant's personal data in breach of Articles 12(3) and 17 of the General Data Protection Regulation (GDPR)¹ in the manner alleged in the complaint.

The case is closed.

Report on the supervisory report

Processing

The Swedish Authority for Privacy Protection (IMY) has initiated supervision regarding Klarna Bank AB (the company or Klarna) due to a complaint. The complaint has been submitted to IMY, as responsible supervisory authority for the company's operations pursuant to Article 56 of the General Data Protection Regulation from the supervisory authority in (Germany) where the complainant has lodged their complaint in accordance with the GDPR's provisions on cooperation in cross-border processing.

The investigation in the case has been carried out through written correspondence. Since this is a complaint relating to cross-border processing, IMY has used the mechanisms for cooperation and consistency contained in Chapter VII GDPR. The supervisory authorities concerned has been the data protection authorities in Denmark, Germany, Poland, Italy, Finland and Austria.

The complaint

In its complaint, the complainant essentially stated the following. Complainants personal data have been confused with data relating to another person who has the same first name and surname. In the role of complainants working life, it is important that his personal data cannot be linked to a due claim. The complainant has requested

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¹ Regulation (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

the deletion of his personal data from Klarna and he has not received confirmation that the deletion has taken place.

What Klarna has stated

Klarna Bank AB has mainly stated the following. Klarna is not the data controller for the current processing to which the complaint relates. Klarna has never processed personal data about the complainant and there has therefore been no personal data to be deleted.

Klarna has previously had a claim for payment against a person with the same first name and surname as the complainant. This requirement has been transferred in 2015 to an external party in accordance with the rules on negotiable debt instrument. The possible confusion has occurred after Klarna has transferred the claim to a third party.
Justification of the decision

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Applicable provisions, etc.

Pursuant to Article 12(3) GDPR the controller must comply with the data subject's request without undue delay and in any event within one month of receipt of the request.

Pursuant to Article 17 of the GDPR, the data subject shall have the right to have his or her personal data erased without undue delay under certain conditions specified therein.

Assessment of the Swedish Authority for Privacy Protection (IMY)

Klarna Bank AB has stated, on 28 July 2022, that Klarna has never processed the complainant's personal data and is therefore not the data controller for the processing of personal data to which the complaint relates. Furthermore, the company has processed another person's personal data with the same first name and surname in relation to an overdue claim.

IMY notes that there has been no reason to question what the company has stated. Against this background, IMY finds that the investigation at hand has not shown that Klarna Bank AB failed to comply with the General Data Protection Regulation in the manner alleged in the complaint.

The case is closed.

This decision has been made by the specially appointed decision-maker [REDACTED] after presentation by legal advisor [REDACTED]